## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

PAUL BELYEU §
v. \$ CIVIL ACTION NO. 6:14cv241
SHERIFF JAMES CAMPBELL, ET AL. \$

## MEMORANDUM OPINION ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

The Plaintiff Paul Belyeu, a former inmate of the Cherokee County Jail, filed this lawsuit complaining of alleged deprivations of his constitutional rights. The parties have consented to allow the undersigned United States Magistrate Judge to enter final judgment in the proceeding.

On February 19, 2015, the Court issued a Report recommending that the Defendants' motion for summary judgment as to the official capacity claims against them be granted and that the Defendants' motion for summary judgment on the issue of qualified immunity be granted as to Sheriff Campbell and denied as to Nurse Billie Davis. None of the parties filed objections to the Report or sought reconsideration. A review of the Report confirms that the Court's analysis of the facts and law was correct. It is accordingly

ORDERED that the Report issued February 19, 2015 (docket no. 62) is ADOPTED for all purposes as the opinion of the Court. It is further

ORDERED that the Defendants' motion for summary judgment as to the official capacity claims against them (docket no. 44) is GRANTED. The claims against the Defendants in their official capacities are DISMISSED with prejudice. It is further

ORDERED that the Defendants' motion for summary judgment on the issue of qualified immunity (docket no. 27) is GRANTED as to Sheriff Campbell and DENIED as to Nurse Billie Davis. All claims against Sheriff Campbell have been dismissed, which terminates Campbell as a

party to this civil action. The claims against Nurse Davis in her individual capacity remain active in the lawsuit.

So ORDERED and SIGNED this 20th day of March, 2015.

K. NICOLE MITCHELL

UNITED STATES MAGISTRATE JUDGE